

# Staff Report – Board of Zoning Appeals

<b>Docket #:</b>	BZA2022-005	<b>Hearing Date:</b>	February 28, 2022
<b>Applicant:</b>	Asher Collins, Big Guy Signs		
<b>Owner:</b>	RE BACH LLC. (Nick Bachman and Beth Bachman)		
<b>Subject Property Address:</b>	980 E MAIN ST		
<b>Staff Contact:</b>	Ed Ferguson, fergusoe@greenwood.in.gov, 317-887-5231		

## Request:

Petitioner is requesting relief from Sec. 10-03-08. Signage. L. Menu of On-Premises Signs Allowed by Permit. 2. On Premises Sign Menu: Building Signs, MONUMENT SIGN: Dimensions: Minimum sign face surround width: 1 foot. to reduce the width of the boarder surrounding the sign face from the required one (1) foot to zero (0) on two sides of the sign face.

Exhibit C – Proposed Sign

## Location:

The subject property is addressed as 980 E Main Street, Greenwood, IN. The subject property is approximately 1.14 acres in area. It is legally described by a metes and bounds survey. That legal description was used in the legal notices for this petition. In more general terms the property is located along the north side of Main Street west of the intersection at Emerson Avenue and Main Street.

See attached Exhibit A – Aerial Map

See attached Exhibit B – Proposed Sign

## Indiana Code Reference(s):

- Section 36-7-4-918.5 (Dimensional Variances)

## Surrounding Land Uses:

- A. Existing: CM-Commercial Medium – Commercial Medical Clinic/Offices (Bachman Family Dentistry)
- B. North : CM-Commercial Medium – Commercial Financial Center First Credit Union
- C. South: CM-Commercial Medium – Commercial Neighborhood shopping and Convenience market w/gas
- D. East : CM-Commercial Medium – Commercial Subway
- E. West: CM-Commercial Medium – Commercial Arby's

See attached Exhibit A – Aerial Map

## Statutory Criteria:

- Indiana Code Section 36-7-4-918.5 Dimensional/Development Standard Variances may be approved only upon a determination in writing that:
  1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
  2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner
  3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.
- Indiana Code Section 9-21-10-3 No Hazard to Air Navigation (if applicable)

1. The structure is regulated under Indiana Code 8-21-10-3 and the Board of Zoning Appeals has received a copy of the Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration and the Board of Aviation Commissioners has been delivered notice in accordance with Indiana Code 8-21-10-3 not less than sixty days before the proposal is considered.

**Greenwood Code References:**

- Unified Development Ordinance, Sec. 10-03-08. Signage. L. Menu of On-Premises Signs Allowed by Permit.  
2. On Premises Sign Menu: Building Signs, MONUMENT SIGN: Dimensions: Minimum sign face surround width: 1 foot.

**PETITIONER'S DETAILED STATEMENTS OF REASONS**

**1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:**

Signage described falls within the parameters of safety regulations and will cause no visual obstructions.

See attached Exhibit B – Proposed Sign

See attached Exhibit C – Proposed Site Plan

**2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:**

It will provide increased visibility of the property and the adjacent drive.

**3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:**

It will directly affect the structure of the sign, which would cause a decrease in durability and an increase in size.

**4. The structure is/is not regulated under Indiana Code 8-21-10-3 for hazard air navigation.**

Not applicable.

**Comments and Findings:**

None.

**Summary and Proposed Conditions:**

Staff has no objections to the petitioner's statements of reasons. Staff recommends approval the request with the following conditions:

1. The monument sign shall be located at the far north end of the entrance/exit median as shown in the exhibit submitted with this petition.
2. The monument sign shall substantially conform to the size, height, and style of the exhibit submitted with this petition.

**Attachments:**

Exhibit A – Aerial Map

Exhibit B – Proposed Sign

Exhibit C – Proposed Site Plan







SCALE: 1" = 1' Monument Sign with Faux Stone Column



